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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,976	12/01/2003	Bill Arndell	WUR 50906/US/2	1877

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EXAMINER

YAO, SAMCHUAN CUA

ART UNIT PAPER NUMBER

1733

DATE MAILED: 04/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/724,976	<b>Applicant(s)</b> ARNDELL ET AL.	
	<b>Examiner</b> Sam Chuan C. Yao	<b>Art Unit</b> 1733	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 March 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 and 21-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 and 21-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-13, 16-17 and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over WO 00/44803 in view of Cone et al (US 4,115,178), and vice versa for reasons of record set forth in numbered paragraph 3 in a prior office action dated 01-12-06, and further in view of 4-H Woodworking Going For the Gold Questions copy right (C) 1994.

Neither WO '803 nor Cone et al teaches orienting veneers with concave surfaces facing in opposite directions. However, it is a natural characteristic for wood veneers to warp or to cup. It would have been obvious in the art to orient veneers with concave surfaces facing in opposite directions, because it is suggested in 4-H Woodworking to orient wide wood boards such that the "*annual rings on the end grain go in opposite directions, i.e. one curving up, the next curving down.*" in order to reduce warping or cupping of wood boards (page 4 answer to question number 26).

3. Claims 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over the references set forth above as applied to claim 6 or 7 above, and further in view of

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either Robitschek et al (US 4,403,013) or National Evaluation Report (dated 11-2002) on LINESTAR™ Adhesives such as LINESTAR™ 4800 adhesive for reasons of record set forth in a prior office action dated 01-12-06.

***Response to Arguments***

4. Applicant's arguments filed on 03-31-06 have been fully considered but they are not persuasive.

On page 6 last paragraph, Counsel argued that, neither of the references applied teaches limitation A: "the veneers are oriented with concave surfaces facing in opposite directions" (emphasis in original), and further argued that WO '803 does not also teach limitation B: "a ribbon coating apparatus" (quotation in original). As for the limitation A, see the disclosure in 4-H Woodworking Going For the Gold Questions. As for limitation B, see the teachings of Cone et al.

On page 7 full paragraph 1, Cone cannot supply WO '803 with these limitations, and further argued that "Cone teaches away from orienting the veneers with concave surfaces facing opposite directions and pressing the loose stack of veneers in the pressing means." While it is true that Cone supply WO '803 with these limitations (i.e. A & B), the teachings of Cone would have render limitation B in a process of WO '803 obvious in the art, because Cone teaches the desirability of performing limitation B as noted in a prior office action. As for limitation A, this limitation would have been obvious in the art as such would reduce the cupping/warping problem of laminated woods as suggested in the disclosure in 4-H Woodworking Going For the Gold Questions. As for Counsel's

assertion that "Cone teaches away from orienting the veneers with concave surfaces facing opposite directions and pressing the loose stack of veneers in the pressing means.", Examiner strongly disagrees. The pressing limitation in claim 1 as presently recited reads on pre-pressing processes illustrated in figures 1 and 6-8 (i.e. prior to performing a final cold or hot pressing operation illustrated in figure 2). During the pre-pressing operation, it is reasonably expected that, there would be some degree of partial curing on the adhesive. Moreover, while it is desired in Cone to prepress loose veneers, one in the art would have reasonably recognized and appreciated that one could effectively press-bond loose stack of veneers directly in a pair of pressing platens (34). Equally important, WO '803 does not require pre-pressing loose stack of veneers.

On page 7 2<sup>nd</sup> full paragraph to page 8, Counsel basically reiterated the above arguments, Counsel's arguments are not found to be persuasive for reasons set forth above.

### ***Conclusion***


Carson (US 4,493,286) is cited as a reference of interest showing an applying device for applying ribbons of adhesive onto a wood (figures 1-3).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sam Chuan C. Yao whose telephone number is (571) 272-1224. The examiner can normally be reached on Monday-Friday with second Friday off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Richard Crispino can be reached on (571) 272-1171. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Sam Chuan C. Yao  
Primary Examiner  
Art Unit 1733

Scy  
04-11-06